

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 345 - SB 378**

March 3, 2017

**SUMMARY OF BILL:** Prohibits the death penalty as a possible sentence for defendants with a severe mental illness.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Capital and non-capital defendants may currently assert mental health defenses. It is common practice for courts to conduct pretrial hearings related to mental health.
- The proposed legislation will not significantly impact court procedure.
- The Department of Mental Health contracts for mental health evaluations in various criminal matters. The cost of outpatient competency/not-guilty-by-reason-of-insanity evaluations is \$800. However, the Department reports that its current funding for these evaluations will accommodate any evaluations resulting from the proposed legislation.
- The proposed legislation does not create any new felony cases, but rather impacts sentencing. It is assumed that the proposed legislation will not significantly impact the operations of the courts, public defenders, and district attorneys.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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